

REMARKS

Claims 24-25 were previously pending. Applicants respectfully request review of claims 24-25 and submit that the presently pending claims are in condition for allowance.

35 USC 103(a)

Claims 24-25 are rejected under 35 USC 103(a) as being unpatentable over Bodin et al., USPN 7,398,305 (hereinafter “Bodin”), in view of Atwal et al., US Publication No. 2003/0061067 (hereinafter “Atwal”).

Applicants respectfully submit that Bodin was filed and has a priority date of February 6, 2003. Bodin was published August 12, 2004. The presently pending application was filed January 9, 2004, which is after the filing date of Bodin but before the publication date of Bodin. Therefore, Applicants respectfully submit that Bodin qualifies as prior art only under 35 USC 102(e).

The owner of the invention in Bodin at the time the invention was made is International Business Machines, which is the current assignee. The owner of the invention in the presently pending patent application at the time the invention was made is International Business Machines, which is the current assignee. Therefore, Applicants respectfully submit that common ownership exists between the inventions in Bodin and the presently pending application at the time the inventions were made.

As a result, Applicants respectfully submit that Bodin does not qualify as prior art, as defined by 35 USC 103(c). Hence, Applicants respectfully request the removal of all 35 USC 103(a) rejections and that all presently pending claims are in condition for allowance.

Conclusion

For at least the above reasons, Applicants respectfully submit that the pending claims are in condition for allowance. If Examiner wishes to discuss any portion of the docket or prosecution, Examiner is invited to telephone Brian Lambert at 408-927-3364.

Respectfully Submitted,



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